



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

FEB 9 2001

DOT-E 9609
(SECOND REVISION)

EXPIRATION DATE: January 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Applied Companies
Valencia, CA
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, mark, sale and use of certain non-DOT specification pressure vessel, conforming with all regulations applicable to DOT specification 39, except as specified herein, for the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.302(a) and 175.3 in that non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Applied Companies dated November 30, 2000, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Air, compressed	2.2	UN1002	n/a
Argon, compressed	2.2	UN1006	n/a
Helium, compressed	2.2	UN1046	n/a
Nitrogen, compressed	2.2	UN1066	n/a

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a welded non-DOT specification non-reusable, non-refillable steel toroidal pressure vessel having a 10.8 cubic inch nominal capacity and a 10,000 psi service pressure, in compliance with DOT 39 Specification (§§ 178.35 and 178.65) except as follows:

§ 178.65(b) *Material.*

Steel must be in conformance with AISI 4130 and § 178.44(b).

§ 178.65(c) *Manufacture.*

(4) (Added) All pressure welds to be subjected to magnetic particle inspection and 100 percent radiographic inspection.

§ 178.65(f) *Pressure tests.*

(1) * * *

(2) * * *

(i) A failure occurs at a gauge pressure less than 25,250 psig.

(ii) thru (iv) * * *

FEB 9 2001

(3) A lot is defined as the quantity of cylinders not exceeding 1000 successively produced per production shift (not exceeding 10 hours) having identical size, design, construction, material, heat treatment, finish and quality.

§ 178.65(g) *Flattening test.*

* * *

(4) Cylinders or test rings must not crack when flattened so that their outer surfaces are not more than 10 times the wall thickness apart.

(5) * * *

§ 178.65(i) *Markings.*

Applies except use "DOT-E 9609" in lieu of "DOT 39".

b. OPERATIONAL CONTROLS - Toroids covered by this exemption are authorized for use only as components of military missile systems.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

f. A copy of the inspector's report required in § 178.35(g) covering the initial lot of produced must be submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) prior to shipment.

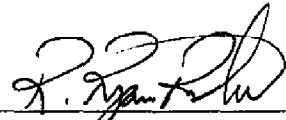
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo aircraft only.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.



RA Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

FEB 9 2001

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW